

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 13, 2009 – 7:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	A
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P
Alderman Dan Klatt	P		

Department Directors/Staff

Eric Stuckey, City Administrator	P	Shirley Harmon, HR Director	P
Vernon Gerth, ACA Community & Economic Development	P	Mark Hilty, Water/Wastewater Director	P
Russell Truell, ACA Finance & Administration	P	Gary Luffman, Planning Director	P
David Parker, City Engineer	P	Tom Marsh, Interim Codes Director	P
Shauna Billingsley, Interim City Attorney	P	Joe York, Streets Director	
Rocky Garzarek, Fire Chief		Becky Caldwell, Assistant Director Solid Waste	
Jackie Moore, Police Chief		Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	P
Lisa Clayton, Parks Director		Linda Fulwider, Board Recording Secretary	P
Eric Gardner, Engineering Director	P		

1. Call to Order

The Regular Meeting of the Board of Mayor and Aldermen of the City of Franklin, Tennessee, called to order by Mayor John Schroer on Tuesday, January 13, 2009 at 7:15 p.m. in the City Hall Boardroom.

2. Invocation

The Invocation was offered by Alderman Clyde Barnhill

3. Pledge of Allegiance

All present stood and pledged allegiance to the Flag of the United States of America

4. Grievances or Statements from Citizens: Citizen Comments (Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Board of Mayor and Aldermen shall make no decisions or consideration of action of citizen comments, except to refer the matter to the City Administrator for administrative consideration, or to schedule the matter for Board consideration at a later date. Those citizens addressing the Board of Mayor and Aldermen are requested to come to the microphone and identify themselves by name and address for the official record)

None

- ❖ Mayor Schroer acknowledged the passing of Bill Ormes in December. Mr. Ormes was a native of Williamson County, founded WAGG radio, WKAM 90, and had the first cable TV franchise. He will be missed.

5. Communications from Williamson County Mayor and Williamson County Commission

None

6. Approval of Minutes

Alderman Bransford moved for approval of the following minutes November 17, 2008 Work Session-Water, November 25, 2008 Work Session, November 25, 2008 Special Meeting, December 9, 2008 Work Session and December 9, Regular Meeting. Seconded by Alderman Barnhill. Motion carried unanimously.

7. Employee Service Recognition

Jonathan Dye	Fire Department	5	Years of Service
Sarah Roop	Engineering Department	5	Years of Service

Neither was present. Mayor Schroer expressed appreciation for their service to the City.

8. Recognition of Franklin Leadership University Class of 2007-2008

The following employee class members were recognized:

Greg Baltimore	Fire	Angela Hardemon	Police
Vic Bates	Water Management	Amy Herron	Police
Debbie Baxter	Solid Waste	Ray Howell	Parks
Lloyd Baxter	Fire	Glenn Johnson	Fire
Scott Butler	Police	Derrick McCord	Streets
Candace Connell	HR	Monique McCullough	Administration
Janie Dunnivant	Codes	Rick McPeak	Water Management
Rodney Escobar	HR	Mike Proctor	MIT
Bill Fitzgerald	Fire	Nate Ridley	Solid Waste
Brad Furline	Water Management	Russell Sullivan	Water Management
Eric Gardner	Engineering	Sara Sylvis	HR
Michael Haman	Codes	Micah Wood	Planning

Eric Stuckey stated it is important to identify and invest in emerging leaders in an organization.

9. CONSENT AGENDA

All items under the Consent Agenda are deemed non-controversial and routine in nature by the governing body. They will be approved as recommended by Committee or staff by one motion of the governing body. The items on the Consent Agenda will not be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request that it be removed from the Consent Agenda and be placed on the Regular Agenda. It will then be considered at that time. Staff recommends that Item Numbers 19-26 be placed on the Consent Agenda

Alderman Barnhill moved to approve the Consent Agenda, items 19-26. Seconded by Alderman McLendon. Motion carried unanimously.

OLD BUSINESS

- 10. Consideration of RESOLUTION 2008-30, A Resolution Authorizing Condemnation for the Acquisition of Property for the Construction of the Third Avenue North Extension and the Bicentennial Park Projects (Deferred from 11/25/08)**

David Parker, City Engineer

Alderman Klatt moved for approval with comment. Seconded by Alderman Barnhill.

Alderman Klatt said he doesn't want to delay this any further. Condemnation will probably be required. He requested the process be engaged, but with new appraisals, if possible. Appraisals could be done in about 30 days. Need to approve condemnation movement that triggers reappraisal. The appraiser can finish by end of month; Doug Berry could file with the court within the next 60 days, followed by a hearing and the City taking possession of property.

Alderman Petersen commented that even though this project was prioritized in Capital Improvement Projects, it was not voted to fund it. Mayor Schroer responded this project was voted on in December (Third Avenue Extension). This is the Third Avenue Extension and has nothing to do with Bicentennial Park. It is the roadway that goes through. David Parker added the language is as such because after some property is acquired it will be used for the park.

Motion to approve Resolution 2008-30 carried 6-1 with Alderman Petersen voting no.

NEW BUSINESS

- 11. Consideration of ORDINANCE 2008-57, An Ordinance to Amend Chapter 4, Section 4 of the Franklin Zoning Ordinance to Create Section 4.4 that Establishes a Process that Authorizes the Board of Mayor and Aldermen to Consider Special Permits for Permitted Uses that are Restricted to Planned Unit Developments (PUD) but with Special Conditions and Term Limitations Assigned to the Operation May be Located on a Non-PUD Parcel. Establishing a Public Hearing for January 27, 2009 (WS 12/09/08)**

(First Reading)

Vernon Gerth, ACA Community and Economic Development

Alderman Bransford moved for approval. Seconded by Alderman Skinner. Motion to approve Ordinance 2008-57 on First Reading carried unanimously.

- 12. Consideration of ORDINANCE 2008-59, An Ordinance to Amend Chapter 5, Section 5.3, of the Franklin Zoning Ordinance to Create Section 5.3.11 that Authorizes Planning Commission to Approve Design Modifications Under Certain Conditions. Establishing a Public Hearing for January 27, 2009 (WS 12/9/08)**

(First Reading)

Vernon Gerth, ACA Community and Economic Development

Alderman Petersen moved for approval. Seconded by Alderman Barnhill. Motion to approve Ordinance 2008-59 on First Reading carried unanimously.

- 13. Consideration of ORDINANCE 2008-63, An Ordinance Amending the City of Franklin Municipal Code Title 14, Section 101 Relative to Membership of the Franklin Municipal Planning Commission (WS 12/9/08)**
(First Reading) **Shauna Billingsley, Interim City Attorney**

Alderman Bransford moved for approval. Seconded by Alderman Barnhill. Motion to approve Ordinance 2008-63 on First Reading carried unanimously.

- 14. Consideration of ORDINANCE 2008-64, An Ordinance to Amend Chapter Six of Title Fifteen, Section 15-606, of the Franklin Municipal Code to Regulate Time Restrictions on Parking in Certain Areas, Reinstating the Offense of Removal of Chalk Marks (WS 12/9/08)**
(First Reading) **Shauna Billingsley, Interim City Attorney**

Alderman Bransford moved for approval. Seconded by Alderman Barnhill. Motion to approve Ordinance 2008-64 on First Reading carried 6-1 with Alderman McLendon voting no.

- 15. Consideration of RESOLUTION 2009-03, A Resolution to Approve the Execution and Delivery of One or More Loan Agreements for the Purpose of Providing Funds for Financing Certain Public Works Projects for the City of Franklin, Tennessee**
Russ Truell, ACA Finance & Administration

Alderman Klatt moved for approval. Seconded by Alderman Barnhill.

At the December 9 meeting, BOMA approved a resolution for up to \$45 million in notes. Mr. Truell was notified the municipal bond fund interest rate was at 0.2%. This is a lower rate that is refundable at any time and the City will realize saving in the next two years. This resolution is a substitute for the resolution voted on last month.

Motion to approve Resolution 2009-03 carried unanimously.

- 16. Consideration of Appointment(s) to the Franklin Housing Authority**
Mayor John C. Schroer

No vote needed for the mayor's appointments to the Franklin Housing Authority. Darlene Morton appointed to replace Hewitt Sawyers effective 1/13/09, and Scott Black appointed to replace Bill Peach effective 2/13/09. Each is a five-year term.

- 17. Consideration of Appointment(s) to the Industrial Development Board**
Mayor John C. Schroer

Voting required on these appointments to the Industrial Development Board. IDB members also serve as board members for the Health, Education and Housing Facilities Board. Appointments are for six-year terms.

Mayor Schroer recommended the reappointment of Ronald Ligon, Bob Barnwell, Bill Depriest, Dan Parsons, and the new appointment of Ed Cagle.

Alderman Barnhill moved for approval of the above stated individuals to the Industrial Development Board. Seconded by Alderman Petersen. Motion carried unanimously.

18. Consideration of Nomination(s) to the Franklin Tree Commission

Mayor John C. Schroer

The Mayor offered the following nominations. Each is for a two-year term. Reappointment of Beth Adams and Kim Hoover. New appointments of Michael Johnson (MTEMC), Martin Shaw, and Skip Heibert.

Alderman Bransford moved for approval of the above-nominated individuals to the Tree Commission. Seconded by Alderman Barnhill. Motion carried unanimously.

CONSENT AGENDA

19. Consideration of the Proposed Agreement for Construction of Detention Areas – South Carothers Parkway Project – With South Carothers Partners, LLC (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

20. Consideration of the Proposed South Carothers Parkway, Roadway Design, Supplement #3 with SEI in an Amount Not to Exceed \$61,000.00 (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

21. Consideration of Final Change Order for the Downs Boulevard at State Route 96 Whitetopping Project with Civil Constructors for an Increase in the Contract Amount of \$35,733.50 (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

22. Consideration of the Sanitary Sewer Recovery Agreement with Drees Homes in the Amount of \$43,815.77 for the Hurstbourne Subdivision (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

23. Consideration of a Professional Services Agreement with Gresham Smith and Partners (GS&P) for the Design of the Carter Street Area Water and Sanitary Sewer Upgrades in an Amount Not to Exceed \$90,000.00 (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

24. Consideration of the Proposed Changes in the Design of the Boyd Mill Improvements Project from Downs Boulevard to the Franklin Green Subdivision Entrance (WS 12/9/08)

Approved unanimously

David Parker, City Engineer

- 25. Consideration to Approve, for the City of Franklin Police Department, a Change Order to Increase in the Amount of \$187,920.00 to be Taken from the Project Contingency for Installation of Micro-Pile Casings due to Subsurface Voids in Rock Formations for Structural Support**

Approved unanimously

Brad Wilson, Facilities Project Manager

- 26. Consideration to Approve a Change Order regarding ASI 19 for the City of Franklin Police Department to Increase in the Amount of \$12,010.00 to be Taken from the Project Contingency for New Structural Framing at Front (East) Parapet Wall**

Approved unanimously

Brad Wilson, Facilities Project Manager

ADJOURN

Alderman Klatt's motion to adjourn was seconded by Alderman Barnhill and carried unanimously.

Meeting adjourned 7:42 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/29/2009 1:42 PM